



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029



ORIGINAL

13 March 2000

Mr. Paul Welsh
Delaware Dept. of Transportation
P.O. Box 778
Dover, DE 19903

re: 12th Street Landfill/Dump Site

Dear Mr. Welsh:

The U.S. Environmental Protection Agency (EPA) has completed a Removal Site Evaluation at the above referenced Site, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, (CERCLA). The Removal Site Evaluation has identified a substantial threat to the environment and a potential threat to human health posed by elevated levels of hazardous substances, primarily lead, located in the soil at the Site. These substances have migrated into the sediment of the adjacent Brandywine Creek. The threats posed by the Site have lead EPA to approve the conduct of a Removal Action at the Site.

The information generated by EPA to date, which included a deed search and a property survey, suggests that the contamination at the Site is generally located on Tax Parcel 019 in the City of Wilmington, Delaware. The enclosed map depicts this Tax Parcel. The adjacent property, identified on the enclosed map as Tax Parcel 014, is owned/controlled by the State of Delaware.

The information collected by EPA suggests that the current location of a fenced storage yard, depicted on the enclosed figure, may be located, in part, on Parcel 014. The position of the fence was determined by the EPA subcontracted surveyor. Your assistance in determining if the fenced storage yard is indeed located on property owned/controlled by the State of Delaware will be appreciated. This is particularly important to EPA since the materials in the yard and the fence will impede implementation of the EPA Removal Action.

EPA has approved the conduct of a Removal Action at the 12th Street Landfill/Dump Site. The Removal Action will serve to prevent further releases of hazardous substances from the Site into the environment. The enclosed Action Memorandum describes the threats posed by the Site and the general actions EPA will take to mitigate those threats in the conduct of a Removal Action. All actions at the Site will be conducted in a manner which considers the requirements of the Delaware Erosion and Sediment Control Handbook.

The Removal Action will be conducted under the direction of an EPA On-Scene Coordinator (OSC). I will serve as the OSC for the 12th Street Landfill/Dump Site Removal Action.

As you know, access to and from the contaminated area and the public roadway (12th Street) is made difficult by the presence of railroad tracks and the fenced storage yard. As such, EPA will need to work out agreements for access to and from the Site. Additionally, the Removal Action will need to be supported by a field-based Command Post and Staging Area. In that nearly all property surrounding the contaminated area is owned or controlled by the State of Delaware, an agreement for access and establishment of a Staging Area by EPA on property owned or controlled by the State of Delaware is likely to be necessary.

I may be reached at (215) 814-3272 if there are any questions regarding this correspondence. The EPA Assistant Regional Counsel assigned to this Site is Andrew Goldman who may be reached at (215) 814-2487 for legal issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Towle", written in a cursive style.

Michael Towle,
On-Scene Coordinator

cc: A. Goldman
A. Breslin, DNREC

N.O.F.
Amtrak
No.: 26-037.00-007

N.O.F.
State of Delaware
D/R T-85-386
Description No. 5
Area = 0.72 Ac.

N.O.F.
Conrail
(Norfolk & Southern)
Tax Parcel No.: 26-037.00-005

228.74'

N 79°10'49" E

S 49°29'32" E

139.35'

S 49°18'53" E

500.40'

S 5°06'03" W
114.02'

S 23°40'46" W
84.76'

N.O.F.
State of Delaware
Desc No. 1
D/R T-85-386
Area = 4.52 Ac.

Westbound

Eastbound

12th Street Relocated

39" W 166.90'

S 7°12'43" W
68.09'

S 7°13'03" W
20.65'

S 25°31'11" W
80.93'

S 7°13'03" W
40.00'

N.O.F.
State of Delaware
Parcel No. 1
D/R S-83-866
Area = 0.78 Ac.

N.O.F.
State of Delaware
Desc No. 3
Parcel No. 2
D/R T-85-386
Area = 0.21 Ac.

S 49°43'05" E

144.54'

N 70°39'56" W

S 26°08'21" E

25.76'

S 26°08'21" E

58.18'

N.O.F.
State of Delaware
Desc No. 4
D/R T-85-386
Area = 0.06 Ac.

S 27°45'09" E

N 44°20'46" W

20' R.R. R.O.W.

420.31'

N 25°41'31" E
99.49'

523.30'

Tax Parcel
26-045.00-014
D/R T-85-386
Total Area = 18.47 Ac.

Tax Parcel 26-045.00-019
D/R 342-126
Parcel No. 2
Total Area = 2.99 Ac.
Brandywine Industrial Complex
MF 8558
D

N.O.F.
State of Delaware
Description No. 2
Parcel No. 1
D/R T-85-386
Area = 12.18 Ac.

S 18°32'32" W
23.20'

N 18°32'32" E
102.89'

Adjacent
to
N.O.F.

FENCE

Brandywine River